

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (GBD/FM)
) ECF Case
)

This document relates to:

CANTOR FITZGERALD ASSOCIATES, LP, *et al.* v. AKIDA INVESTMENT CO., LTD., *et al.*,
Case No. 04-CV-7065

**DEFENDANT AL HARAMAIN ISLAMIC FOUNDATION, INC. (USA)
ANSWER TO FIRST AMENDED COMPLAINT**

Defendant Al Haramain Islamic Foundation, Inc. (USA) (“AHIF-USA”), through undersigned counsel, and pursuant to Rule 12, Fed. R. Civ. P., hereby submits its Answer to Plaintiffs’ First Amended Complaint (“Complaint”).

Background

1. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.
2. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.
3. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.
4. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.
5. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.
6. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

7. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

8. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

9. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

10. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

11. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Jurisdiction and Venue

12. AHIF-USA denies that this court has subject matter jurisdiction over AHIF-USA under 28 U.S.C. §§ 1331, 1367, 18 U.S.C. §§ 2334 and 2334 (Anti-Terrorism Act). AHIF-USA denies that jurisdiction over plaintiffs' claims against AHIF-USA is proper under 28 U.S.C. §§ 1603-1611, because those provisions apply solely to actions against foreign states.

13. AHIF-USA denies that venue is proper under 28 U.S.C. §§ 1391(b)(2) and 1407. AHIF-USA denies that venue is proper under 28 U.S.C. § 1391(f)(1), because that provision applies solely to actions against foreign states.

Parties – Plaintiffs

14. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

15. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

16. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

17. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

18. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

19. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

20. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

21. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

22. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

23. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

24. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

25. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

26. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

27. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

28. Plaintiff Port Authority of New York and New Jersey was dismissed from this case. See Notice of Voluntary Dismissal (Doc. Nos. 2328, 2341) (Sept. 28-29, 2010). AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

29. Plaintiff Port Authority Trans-Hudson Corporation was dismissed from this case. See Notice of Voluntary Dismissal (Doc. Nos. 2328, 2341) (Sept. 28-29, 2010). AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

30. Plaintiff WTC Retail LLC was dismissed from this case. See Notice of Voluntary Dismissal (Doc. Nos. 2328, 2341) (Sept. 28-29, 2010). AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Parties – Defendants: The Al Qaeda Defendants

31. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

32. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

33. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

34. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

35. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

36. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

37. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

38. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

39. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

40. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

41. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

42. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Parties – Defendants: The Charity and Relief Organization Defendants

43. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

44. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

45. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

46. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

47. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

48. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

49. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

50. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

51. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

52. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

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54. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

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57. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

58. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

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61. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

62. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

63. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

64. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

65. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

66. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

67. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

68. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

69. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

70. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

71. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

72. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

73. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

74. AHIF-USA denies the allegations in paragraph 74 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

75. AHIF-USA denies that AHIF-USA is a “necessary and integrated parts of the same foundation and are otherwise substantively interconnected” with al-Haramain Saudi Arabia, or that AHIF-USA is “financed, controlled and directed ... by the ‘home’ office in Saudi Arabia.” AHIF-USA admits that Aqeel al-Aqeel and Mansour al-Kadi were formerly officers of AHIF-USA. AHIF-USA denies all other allegations in paragraph 75 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

76. AHIF-USA denies that AHIF-USA was “funded, authorized, supervised, directed, and/or controlled by the Kingdom of Saudi Arabia and several of its Princes.” AHIF-USA denies all other allegations in paragraph 76 insofar as they refer to AHIF-USA.

77. AHIF-USA denies the allegations in paragraph 77 insofar as they refer to AHIF-

USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

78. AHIF-USA denies the allegations in paragraph 78 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

79. AHIF-USA admits that the United States government has designated five groups in Afghanistan, Albania, Bangladesh, Ethiopia, and the Netherlands affiliated with al-Haramain (Saudi Arabia) as terrorist entities. AHIF-USA denies the allegations in paragraph 79 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

80. AHIF-USA admits that the United States government blocked its assets in February 2004, and designated it in September 2004, but denies that “its ‘charitable contributions’ were siphoned off to support Al Qaeda’s terrorist activities.” AHIF-USA does not possess sufficient knowledge or information to admit or deny the other allegations contained in this paragraph.

81. AHIF-USA admits that the United States government has designated four groups in Indonesia, Kenya, Tanzania, and Pakistan affiliated with al-Haramain (Saudi Arabia) as terrorist entities. AHIF-USA denies the allegations in paragraph 81 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

82. AHIF-USA admits that the United States government has designated two groups in Bosnia and Somalia affiliated with al-Haramain (Saudi Arabia) as terrorist entities. AHIF-USA denies the allegations in paragraph 82 insofar as they refer to AHIF-USA. AHIF-USA

does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

83. AHIF-USA denies the allegations in paragraph 83 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

84. AHIF-USA denies the allegations in paragraph 84 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

85. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

86. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

87. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

88. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

89. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Parties – Defendants: Banking and Financial Defendants

90. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

91. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

92. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

93. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

94. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

95. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

96. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

97. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

98. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

99. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

100. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

101. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

102. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

103. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

104. AHIF-USA denies the allegations in paragraph 104 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

105. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

106. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

107. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

108. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

109. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

110. AHIF-USA denies the allegations in paragraph 110 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all other allegations contained in this paragraph.

111. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

112. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

113. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

114. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

115. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

116. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

117. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

118. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

119. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

120. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

121. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

122. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

123. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

124. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

125. AHIF-USA does not possess sufficient knowledge or information to admit or

deny the allegations contained in this paragraph.

126. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

127. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

128. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

129. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

130. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

131. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

132. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

133. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

134. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

135. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

136. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

137. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

138. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

139. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

140. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Parties – Defendants: Foreign Governmental Defendants

141. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

142. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

143. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

144. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

145. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

146. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

147. AHIF-USA denies the allegations in paragraph 147 insofar as they refer to AHIF-USA. AHIF-USA does not possess sufficient knowledge or information to admit or deny all

other allegations contained in this paragraph.

148. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

149. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

150. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

151. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

152. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

153. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

154. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

155. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

156. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

157. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

158. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

Additional Defendants 1-10

159. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

160. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

161. AHIF-USA does not possess sufficient knowledge or information to admit or deny the allegations contained in this paragraph.

CLAIMS

Count One — Property Damage

162. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

163. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

164. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

165. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

166. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

167. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

168. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Two

Property Damaging for Aiding and Abetting

169. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

170. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

171. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

172. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

173. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

174. No response is required to the allegations in this paragraph because the aiding and

abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

175. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

176. No response is required to the allegations in this paragraph because the aiding and abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Three — RICO

177. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

178. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

179. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

180. No response is required to the allegations in this paragraph because the RICO

cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

181. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

182. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

183. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

184. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Four — RICO: Banking and Financial Defendants

185. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

186. No response is required to the allegations in this paragraph because the RICO

cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

187. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

188. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

189. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

190. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

191. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

192. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Five — RICO: Foreign Defendant Prince Faisal

193. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

194. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

195. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

196. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

197. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

198. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

199. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Six — RICO: Foreign Governmental Defendants

200. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

201. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

202. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

203. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

204. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

205. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

206. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

207. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Seven — RICO: Foreign Governmental Defendant Prince Turki

208. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

209. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

210. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

211. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

212. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

213. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

214. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

215. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which

no response is required. To the extent a response is required, the allegations are denied.

Count Eight — RICO: Kingdom of Saudi Arabia

216. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

217. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

218. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

219. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

220. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

221. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which

no response is required. To the extent a response is required, the allegations are denied.

222. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

223. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

224. No response is required to the allegations in this paragraph because the RICO cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Nine — International Law

225. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

226. No response is required to the allegations in this paragraph because the International Law cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

227. No response is required to the allegations in this paragraph because the International Law cause of action was dismissed by the Memorandum Decision and Order of the

Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

228. No response is required to the allegations in this paragraph because the International Law cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

229. No response is required to the allegations in this paragraph because the International Law cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

230. No response is required to the allegations in this paragraph because the International Law cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Ten — Conspiracy: The Al Qaeda Defendants

231. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

232. No response is required to the allegations in this paragraph because the Conspiracy cause of action was dismissed by the Memorandum Decision and Order of the Court

dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

233. No response is required to the allegations in this paragraph because the Conspiracy cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Eleven— Aiding and Abetting

234. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

235. No response is required to the allegations in this paragraph because the Aiding and Abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

236. No response is required to the allegations in this paragraph because the Aiding and Abetting cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Twelve — Punitive Damages

237. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

238. No response is required to the allegations in this paragraph because the Punitive

Damages cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

239. No response is required to the allegations in this paragraph because the Punitive Damages cause of action was dismissed by the Memorandum Decision and Order of the Court dated September 13, 2010. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Count Thirteen — Contribution and Indemnity

240. AHIF-USA hereby incorporates its responses to the previous allegations as if fully set forth herein.

241. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

242. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Prayer for Relief

The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

Jury Demand

Plaintiffs' statement regarding a jury trial and jury demand contain no allegations to which a response is required.

Each and every allegation in plaintiffs' complaint that has not been specifically admitted is hereby denied.

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim)

Plaintiffs' claims fail to state a claim against AHIF-USA for which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

(Causation)

There is no causal connection between any of AHIF-USA's activities and plaintiffs' injuries.

THIRD AFFIRMATIVE DEFENSE

(Causation)

No act or omission of any agent, servant, or employee of AHIF-USA proximately caused any harm or damage to plaintiffs.

FOURTH AFFIRMATIVE DEFENSE

(Causation)

AHIF-USA's activities were not the proximate cause of any harm or damage to plaintiffs.

FIFTH AFFIRMATIVE DEFENSE

(Scienter)

Plaintiffs fail to adequately allege scienter on AHIF-USA's part.

SIXTH AFFIRMATIVE DEFENSE

(Other Tortfeasors)

Plaintiffs' damages and injuries were caused by other individuals or entities who are, or are not, named as parties to this action.

SEVENTH AFFIRMATIVE DEFENSE

(Improper Venue)

This Court is not the proper venue for plaintiffs' claims against AHIF-USA.

EIGHTH AFFIRMATIVE DEFENSE

(Subject Matter Jurisdiction)

This Court does not have subject matter jurisdiction over plaintiffs' claims against AHIF-USA.

NINTH AFFIRMATIVE DEFENSE

(Personal Jurisdiction)

This Court does not have personal jurisdiction over plaintiffs' claims against AHIF-USA.

TENTH AFFIRMATIVE DEFENSE

(Estoppel)

Plaintiffs are estopped from receiving the relief requested against AHIF-USA.

ELEVENTH AFFIRMATIVE DEFENSE

(Statute of Limitations)

Plaintiffs' claims against AHIF-USA are barred, in whole or in part, by the applicable

statute of limitation(s).

TWELFTH AFFIRMATIVE DEFENSE

(Punitive Damages)

Plaintiffs' claims for punitive damages against AHIF-USA are barred because AHIF-USA's activities, as alleged by plaintiffs, were not committed with intent, malice, willful and outrageous conduct aggravated by evil motive, or reckless indifference, and none of AHIF-USA's activities in any way were intended to, or did harm, the plaintiffs in this action.

THIRTEENTH AFFIRMATIVE DEFENSE

(Joint or Several Liability)

Defendant is not liable for plaintiffs' damages based on the doctrines of several liability and/or combined or comparative fault, under N.Y. C.P.L.R. § 1601 *et seq.*

FOURTEENTH AFFIRMATIVE DEFENSE

(No Double Recovery)

Plaintiffs have waived their claims based on the doctrine disallowing double recovery and/or the doctrine of election of remedies.

FIFTEENTH AFFIRMATIVE DEFENSE

(Collateral Source)

Plaintiffs have waived their claims based on the collateral source doctrine.

SIXTEENTH AFFIRMATIVE DEFENSE

(Subrogation)

Plaintiffs have waived their claims based on the doctrine of subrogation and/or the doctrine of equitable subrogation.

SEVENTEENTH AFFIRMATIVE DEFENSE

In response to plaintiffs' claims, AHIF-USA intends to invoke any other defenses, including affirmative defenses, as they may become apparent through discovery, and reserve the right, in accordance with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Southern District of New York, to assert such defenses.

AHIF-USA requests that the Plaintiffs' First Amended Complaint be dismissed with prejudice as to AHIF-USA, and that the Court award attorney's fees and costs to AHIF-USA in defending against a case with no factual or legal basis against AHIF-USA, and award any other relief that the Court deems just under the circumstances.

Respectfully submitted,

/S/ Lynne Bernabei

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Attorneys for Defendant
Al Haramain Islamic Foundation, Inc.

Dated: October 15, 2010

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2010, I caused the foregoing to be served electronically on counsel of record by the Court's Electronic Case Filing (ECF) System, pursuant to ¶ 9(a) of Case Management Order No. 2 (June 16, 2004).

/s/ Alan R. Kabat

Alan R. Kabat